



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/804,924	03/12/2001	Jong-Hyun Choi	AB-1050 US	2772

7590

01/16/2002

Elaine H. Lo
SKJERVEN MORRILL MacPHERSON LLP
Suite 700
25 Metro Drive
San Jose, CA 95110-1349

EXAMINER

GONZALEZ, JULIO C

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 01/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/804,924

Applicant(s)

CHOI, JONG-HYUN

Examiner

Julio C. Gonzalez

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, is the coil 2 disclosed in figure 3 made up of two different coils or is the main-resistance coil and the sub-resistance coil the same coil? From figure 3, it seems like if there is only one coil with an outer and inner section.

In order to advance prosecution in the merits, the Prior Art will be applied as best understood by the examiner.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Juan.

Juan discloses a motor having a stator, a rotor 4, a coil 14 and a cylindrical insulating means 231 between the coil and the rotor (see figure 1).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Juan in view of Nielsen.

Juan discloses a motor having a stator, a rotor 4, a coil 14 and a cylindrical insulating means 231 between the coil and the rotor (see figure 1).

However, Juan does not disclose that the insulator is refrigerant-proof and oil-proof.

On the other hand, Nielsen discloses for the purpose of preventing damage to a motor by efficiently centering the rotor and avoiding contact with the stator, insulating material which is refrigerant-proof and oil-proof (column 2, lines 2-8).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design a motor as disclosed by Juan and to modify the invention by using insulating means that is oil-proof for the purpose of preventing damage to a motor by efficiently centering the rotor and avoiding contact with the stator as disclosed by Nielsen.

7. Claims 3, 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Juan in view of Nielsen and Watanabe.

Juan discloses a motor having a stator, a rotor 4, a coil 14 and a cylindrical insulating means 231 between the coil and the rotor (see figure 1).

However, Juan does not disclose that the insulator is refrigerant-proof and oil-proof.

On the other hand, Nielsen discloses for the purpose of preventing damage to a motor by efficiently centering the rotor and avoiding contact with the stator, insulating material which is refrigerant-proof and oil-proof (column 2, lines 2-8).

However, Juan neither Nielsen disclose a yarn securing the insulator to the coil.

On the other hand, Watanabe discloses for the purpose of avoiding corona discharges and deterioration of coil insulation, a yarn 20 securing the insulation means 16 (see figure 1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design a motor as disclosed by Juan and to modify the invention by using insulating means that is oil-proof for the purpose of preventing damage to a motor by efficiently centering the rotor and avoiding contact with the stator as disclosed by Nielsen and to use a yarn for securing the insulation means for the purpose of avoiding corona discharges and deterioration of coil insulation as disclosed by Watanabe.

8. Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Juan in view of Nielsen and Watanabe and ordinary skill in the art.

Juan discloses a motor having a stator, a rotor 4, a coil 14 and a cylindrical insulating means 231 between the coil and the rotor (see figure 1).

However, Juan does not disclose that the insulator is refrigerant-proof and oil-proof.

On the other hand, Nielsen discloses for the purpose of preventing damage to a motor by efficiently centering the rotor and avoiding contact with the stator, insulating material which is refrigerant-proof and oil-proof (column 2, lines 2-8).

However, Juan neither Nielsen disclose a yarn securing the insulator to the coil.

On the other hand, Watanabe discloses for the purpose of avoiding corona discharges and deterioration of coil insulation, a yarn 20 securing the insulation means 16 (see figure 1).

Juan, Nielsen and Watanabe disclose the claimed invention except for material of the yarn. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use polyester material for the yarn, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In *re Leshin*, 125 USPQ 416.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio C. Gonzalez whose telephone number is (703) 305-1563. The examiner can normally be reached on M-F (8AM-5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 305-1341 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Jcg

January 7, 2002


NESTOR RAMIREZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2300